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TAGS: PREL PTER UNSC SY LE

SUBJECT: LEBANON TRIBUNAL: SYG BAN PREVIEWS REQUEST FOR UNIIIC EXTENSION

REF: USUN 253

Classified By: Ambassador Zalmay M. Khalilzad, per 1.4 (b) and (d).

¶1. (C) During a luncheon between P-5 PermReps and SYG Ban on March 19, Council President Russian PermRep Churkin raised the issue of the transition between the UN International Independent Investigation Commission (UNIIIC) and the Special Tribunal for Lebanon (STL). Noting that the setup of the STL was going very smoothly, Churkin predicted that at this rate, the Prosecutor would be able to assume office by June 16. Recalling his meeting with UNIIIC Commissioner and Prosecutor-designate Daniel Bellemare the week of March 10, however, Churkin observed that there would be no indictments for the Prosecutor to take forward at this time. This situation could be "embarrassing" for the UNIIIC/STL and should be avoided.

¶2. (C) SYG Ban agreed with Churkin that this timeline could create a problem. He suggested that the Council could address the issue by extending the UNIIIC mandate for six months until the end of 2008, after which point the Prosecutor would assume his duties. Ban noted that he would likely submit a request to the Council shortly to extend the UNIIIC mandate. French PR Ripert replied that Ban's suggestion seemed sensible. Amb Khalilzad, noting that the UNIIIC mandate will only expire on June 15, 2008, replied that we still have a few months to consider the issue. Council members should give Bellemare all the help he needs over the next few months with his investigation and then see where we are in June. Churkin did not object to Ban's suggestion. Other P-5 PermReps did not speak on the issue.

¶3. (C) Separately, the French Mission told USUN on March 23 that it had received instructions to support a six-month extension of the UNIIIC mandate until the end of 2008, after which point the Prosecutor would assume his duties. The French believe the UN can continue to demonstrate progress in setting up the STL during the second half of 2008 via other milestones, such as the meeting of judges, renovation of the tribunal headquarters, etc. Although the British Mission says it has yet to receive instructions from London on the transition between UNIIIC and the STL, British diplomats have told USUN that London is inclined to support the French position, if only to support Bellemare's request for more time as UNIIIC Commissioner before he assumes the title of Prosecutor.

KHALILZAD